

or flooding spells, symptoms of female weakness, such as nervousness, headache, backache, pains in the lower part of the abdomen, sometimes with bearing down pain, down and out feeling, low spirits, a tired languid feeling, no ambition, bladder trouble, caused by enlarged womb pressing against the bladder, and leucorrhea; (Stay Young, bottle and carton) as effective, when used by young girls, to retain youth and as a treatment, remedy, and cure for all female weaknesses and disorders, to strengthen and restore to good health the generative organs, and as a positive relief for ulceration, inflammation, anteversion, retroversion, and prolapsus, leucorrhea, ovarian troubles, difficult menstruation, cysts and fibroid tumors, congestion and falling of the womb: effective when used in connection with Antiseptic Wash and Suppository by women, to insure youth, and as a treatment, remedy and cure for all female weaknesses and disorders, to strengthen and restore to good health the generative organs and as a positive relief for ulceration, inflammation, anteversion, retroversion and prolapsus, leucorrhea, ovarian troubles, difficult menstruation, cysts and fibroid tumors, and congestion and falling of the womb; and effective when used in connection with Stay Young X as a treatment, remedy, and cure for profuse menstruation.

On October 29, 1934, the defendant entered a plea of guilty and the court imposed a fine of \$100 and costs.

M. L. WILSON, *Acting Secretary of Agriculture.*

23236. Adulteration and misbranding of syrup of hypophosphites compound, elixir iron pyrophosphites, quinine and strychnine, and elixir triple bromides; and misbranding of fluid extract of hydrastis aqueous. U. S. v. P. H. Mallen Co. Plea of nolo contendere. Fine, \$200 and costs. (F. & D. no. 31441. Sample nos. 3663-A, 3664-A, 3665-A, 3667-A.)

This case was based on an interstate shipment of certain drug preparations recognized in the National Formulary, which fell below the standard laid down in that authority, and which contained certain therapeutic agents in amounts differing from those declared on the labels. The case also covered a product labeled to convey the impression that it was fluidextract of hydrastis, a product recognized in the United States Pharmacopoeia, but which consisted of a weak alcoholic solution of hydrastis, containing materially less of the alkaloids of hydrastis and alcohol than the pharmacopoeial product. The labeling of all products contained unwarranted curative and therapeutic claims.

On May 24, 1934, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the P. H. Mallen Co., a corporation, Chicago, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about July 21, 1932, from the State of Illinois into the State of Michigan, of quantities of pharmaceuticals which were misbranded and portions of which were also adulterated. The articles were labeled: "Fluid Hydrastis Fluid Extract Hydrastis Can. Aqueous Golden Seal"; "Syrup Hypophosphites Compound (Hematic) Each Fluid Ounce Contains * * * Quinine Hypophosphites 1 grain Strychnine Hypophosphites $\frac{1}{8}$ Grain"; "Elixir Iron Pyrophosphites, Quinine and Strychnine Each Fluid ounce contains: * * * Quinine Sulphate 4 grains, Strychnine $\frac{1}{8}$ grains Alcohol 20%"; "Elixir Triple Bromides Each Ounce Contains Bromide Ammonia 40 Grains Bromide Potassium 40 Grains Bromide Sodium 40 Grains Prepared by P. H. Mallen Company, Chicago."

The information charged adulteration of certain of the products in that they were sold under names recognized in the National Formulary and differed from the standard of strength, quality, and purity as determined by the tests laid down in the said formulary official at the time of investigation in the following respects: The syrup of hypophosphites compound contained not more than 5.25 grams of hypophosphorous acid per 1,000 cubic centimeters, equivalent to 2.39 grains per fluid ounce, and not more than 0.88 gram anhydrous quinine and strychnine per 1,000 cubic centimeters, equivalent to 0.40 grain per fluid ounce, whereas the formulary provides that syrup of hypophosphites compound shall contain the equivalent in hypophosphorous acid of not less than 7.95 grams per 1,000 cubic centimeters, equivalent to 3.6 grains per fluid ounce, and not less than 1.06 grams of anhydrous quinine and strychnine per 1,000 cubic centimeters, equivalent to 0.48 grain per fluid ounce; the elixir iron pyrophosphites, quinine and strychnine contained not more than 0.728 gram of anhydrous quinine and strychnine per 1,000 cubic centi-

meters, equivalent to 0.33 grain per fluid ounce, and not more than 13.4 percent of alcohol by volume; whereas the formulary provides that the product should contain quinine sulphate and strychnine in a quantity equivalent to not less than 6.64 grams of anhydrous quinine and strychnine per 1,000 cubic centimeters, equivalent to 3.03 grains per fluid ounce, and not less than 17.85 percent of alcohol by volume; the elixir triple bromides contained less than 80 grams, namely, not more than 67.42 grams of ammonia bromide, and less than 160 grams, namely, not more than 147 grams of potassium bromide and sodium bromide combined per 1,000 cubic centimeters; whereas the formulary provides the elixir triple bromides should contain not less than 80 grams each of ammonia bromide, potassium bromide, and sodium bromide per 1,000 cubic centimeters; and the standard of strength, quality, and purity of the articles was not declared on the container. The said products were alleged to be further adulterated in that their strength and purity fell below the professed standard and quality under which they were sold, in the following respects: (Syrup hypophosphites compound) Each fluid ounce was represented to contain 1 grain of quinine hypophosphites and $\frac{1}{8}$ grain of strychnine hypophosphites, whereas each fluid ounce contained less than 1 grain of quinine hypophosphites and less than $\frac{1}{8}$ grain of strychnine hypophosphites; (elixir iron pyrophosphites, quinine and strychnine) each fluid ounce was represented to contain 4 grains of quinine sulphate, $\frac{1}{8}$ grain of strychnine, and 20 percent of alcohol, whereas each fluid ounce contained less than 4 grains of quinine sulphate, less than $\frac{1}{8}$ grain of strychnine and less than 20 percent of alcohol; (elixir triple bromides) each fluid ounce was represented to contain 40 grains of bromide ammonia, bromide potassium, and bromide sodium, whereas each fluid ounce contained less than 40 grains each of bromide ammonia, bromide potassium, and bromide sodium.

Misbranding of the fluidextract hydrastis aqueous was alleged for the reason that the statement, "Fluid Extract Hydrastis Can. Aqueous", borne on the label was false and misleading, since the article was a weak alcoholic solution of hydrastis; and for the further reason that it contained alcohol and the label on the bottle failed to bear a statement of the quantity and proportion of alcohol contained therein.

Misbranding of the remaining products was alleged in that the following statements in the labelings, were false and misleading: "Syrup Hypophosphites Compound Each Fluid Ounce Contains Quinine Hypophosphites 1 grain Strychnine Hypophosphites $\frac{1}{8}$ Grain"; "Elixir Iron Pyrophosphites, Quinine and Strychnine Each fluid ounce contains: Quinine Sulphate 4 grains Strychnine $\frac{1}{8}$ grain Alcohol 20%"; "Elixir Triple Bromides Each Ounce Contains: Bromide Ammonia 40 Grains, Bromide Potassium 40 Grains and Bromide Sodium 40 Grains."

Misbranding was alleged for the further reason that certain statements on the labels, regarding the curative and therapeutic effects of the articles, falsely and fraudulently represented that they were effective (fluidextract hydrastis aqueous) as a treatment, remedy, and cure for leucorrhoea, gonorrhoea, balanitis, cystitis, catarrh of the stomach and intestines; (syrup hypophosphites compound) as a treatment, remedy, and cure for the simple anaemia of youth, acute diseases, grave cachexia of phthisis and other forms of tubercular diseases; (elixir iron pyrophosphites, quinine, and strychnine) as an anti-periodic; and as a treatment of cases of lassitude and debility induced by malarial states of the system; and effective as an invigorant in convalescence from fevers and cases of anaemia and in some forms of dyspepsia where the tone of the digestive organ is lacking; (elixir triple bromides) to control vomiting of cerebral congestion; and effective as a treatment in pregnancy, and for flatulent colic, crying and restlessness in young children, irregular heart action, hysteria, Graves' disease, cerebral congestion, insomnia, mental fatigue, and delirium in disease.

On September 25, 1934, a plea of nolo contendere was entered on behalf of the defendant, and the court imposed a fine of \$200 and costs.

M. L. WILSON, *Acting Secretary of Agriculture.*

23237. Misbranding of Cal-Spa Mineral Water. U. S. v. (Dr.) Everette H. Hobson, Robert U. Bronson, and James G. LeQuime (Natural Products Co.). Pleas of guilty. Fines, \$900. (F. & D. no. 31456. Sample nos. 30981-A, 40113-A.)

This case was based on shipments of mineral water, the labels of which contained unwarranted curative and therapeutic claims. Analyses showed that the product contained less potassium iodide than declared on the label.